

REMARKS

The foregoing Preliminary Amendment amends Claims 1, 25 and 26, and adds new Claim 29. Favorable reconsideration of the application is respectfully requested.

Applicant wishes to thank the Examiner for the indication that 25 and 26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 25 and 26 have been rewritten in independent form as suggested by the Examiner, so that it is believed that Claims 25 and 26 should now be allowable.

The Examiner indicated in the Office Actions of December 16, 2005, and October 13, 2006, that an election of species was made without traverse; however, the requirement for an election of species was traversed in the response of October 21, 2005. Claims withdrawn as to a non-elected species have not been cancelled, since it is believed that with the current amendment, a generic claim should now be allowable.

Claims 1-4, 6-12, 15-17, 22-24, 27 and 28 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Hopka et al. in view of Liou. The Examiner indicated that in Hopka et al. each locking aperture does not define a seat with balls 102 sized to engage the respective seats when urged into respective locking apertures but not to pass completely through the seat. Liou was cited as disclosing that it is useful to form apertures 41 smaller than balls 21 to as to form seats to receive the balls without having the balls pass through the seats.

Hopka et al. discloses a seat belt buckle having a buckle mechanism 14 for connecting various belt sections anchored to various fixed parts of an automobile, wherein the belt sections include an anchor belt section 16, a shoulder belt section 18, a lap belt section 10, and a lap belt section 12 that the Examiner identified as a tether. The Examiner noted that the tether (recited in Claim 1) was not given a function or claimed in combination as being different from a strap in a harness system used to hold a person in place.

As is discussed in the specification for the present application at pages 1-3, the present invention provides for a fitting including a first part secured to or securable to a harness, and a second part connectable to a tether, and a mechanism to releasably interconnect the first and second parts. Harnesses configured to be worn around the body of a person and connectable to a tether are well known, and are often used in a wide range of sports such as sailing, for anchoring a person with a "trapeze" type of arrangement including a tether in the form of a length of wire or rope anchored to the mast of the sail boat, although the fitting of the invention for anchoring a harness by a tether can also be used in kite-surfing, wind-surfing, paragliding, mining, pot-holing, window cleaning, forestry, and similar activities such as land-kiting, for example.

In contrast, the seat belt buckle of Hopka et al. is very different from the fitting for a harness of the invention, in that the seat belt buckle of Hopka et al. provides for interconnection of multiple seat belt straps, rather than for anchoring a harness for a person to a tether, as in the present invention. In accordance with the Examiner's suggestion, Claim 1 accordingly has been amended as an improvement-type claim

reciting in the preamble that the fitting is "connectable to a first end of a tether anchored at a second of the tether for anchoring a person in the harness." Support for the amendment can be found in the discussion at page 2 of the specification, for example.

It is therefore respectfully submitted that Claims 1-4, 6-12, 15-17, 22-24, 27 and 28 patentably distinguish the combination of Hopka et al. and Liou, and that the rejection of Claims 1-4, 6-12, 15-17, 22-24, 27 and 28 on the grounds of obviousness from Hopka et al. in view of Liou should be withdrawn.

Claim 14 was rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Hopka et al. in view of Liou and further in view of Thomas. The Examiner indicated that it would have been obvious to use a hook instead of a loop in view of Thomas, which was cited as teaching a releasable hook forming a recess for receiving a tether. However, it is noted that Thomas also relates to a safety belt system for a child's chair, including a shoulder belt portion, a lap belt portion, and a crotch belt, which are connected to the chair, and the chair in turn is adapted to be secured by a conventional vehicle seat belt system. As Claim 14 depends from Claim 1, and in view of the foregoing remarks, it is respectfully submitted that Claim 14 patentably distinguishes the combination of Hopka et al., Liou and Thomas, and that the rejection of Claim 14 on the grounds of obviousness from Hopka et al. in view of Liou and further in view of Thomas should be withdrawn.


Support for new Claim 29 reciting that "the locking element is arranged to urge at least two of said locking members away from one another," can be found in the

specification at page 20, line 15, to page 23, line 14, and Figs. 16-18. It is believed that Claim 29 reads on the elected species of Group II, directed to Figs. 10-19.

In light of the foregoing amendments, favorable reconsideration of the application is respectfully requested.

Respectfully submitted,

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